



13281 U.S. PTO

FOLEY ■ LARDNER
ATTORNEYS AT LAW

Attorney Docket No. 034896-0116

3000 K Street, N.W., Suite 500
Washington D.C. 20007-5109
Phone: (202) 672-5300

22858 U.S. PTO
10/799689
031504

TO: Mail Stop PATENT APPLICATION
Commissioner of Patents
PO Box 1450
Alexandria, Virginia 22313-1450

PLANT PATENT APPLICATION TRANSMITTAL
(new non-provisional applications under 37 CFR 1.53(b))

Transmitted herewith for filing is the plant patent application of:

INVENTOR: **Steen THOMSEN**
or APPLICATION IDENTIFIER (must include alphanumeric codes if no inventors named)

TITLE: **Euphorbia Milii Plant Named 'Eros'**

In connection with this application, the following are enclosed:

APPLICATION ELEMENTS:

☒ Specification - Total Pages 9-

- Descriptive title of the invention (with Plant's name)
- Cross References to Related Applications
- Statement Regarding Fed Sponsored R & D
- Latin name of the genus and species of the plant claimed
- Variety denomination
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawing
- Detailed Botanical Description
- Claim (only one (1) permitted MPEP 1605)
- Abstract of the Disclosure

2 Sheets of Drawings (color) (two (2) copies required - 37 CFR 1.165(b), 1 black & white copy)

☒ Declaration, Power of Attorney

☒ Executed

☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Continuing Application section completed)

☐ **DELETION OF INVENTOR(S)** - Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

☐ **Incorporation By Reference** (useable if copy of prior application Declaration being submitted)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under the above section, is considered as being part of the disclosure of the accompanying application is hereby incorporated by reference therein.

ACCOMPANYING APPLICATION PARTS:

- ☒ Assignment Papers (cover sheet & documents(s)).
☐ Plant Color Coding Sheet
☐ 37 CFR 3.73(b) Statement (when there is an assignee)
☐ English Translation Document (if applicable)
☐ Information Disclosure Statement (IDS) with PTO-1449. ___ Copies of IDS Citations
☐ Preliminary Amendment
☒ Return Receipt Postcard (MPEP 503)
☒ Applicant Asserts Small Entity Status (37 CFR and 1.27(c))
☐ Certified Copy of Priority Documents(s) with Claim of Priority.
(if foreign priority is claimed)
☒ Other: Application Data Sheet

CORRESPONDENCE ADDRESS:

Foley & Lardner LLP Address noted above.

Telephone: (202) 672-5300

Fax Number: (202) 672-5399

FEE CALCULATIONS: (Small entity fees indicated in parentheses.)

- ☒ Plant New Application or Continuing Application Filing Fee of \$530.00 (\$265.00)
☒ Assignment Fee \$40.00

TOTAL FEE: \$265.00

- ☒ A check in the amount of the above TOTAL FEE is attached.
☐ If payment by check is **NOT** enclosed, it is requested that the Patent and Trademark office advise the undersigned of the period of time within which to file the TOTAL FEE.

Respectfully submitted,

Date March 15, 2004

By Richard C. Peet

FOLEY & LARDNER LLP
Customer Number: 22428

Richard C. Peet
Attorney for Applicant
Registration No. 35,792

22428

22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5483

Facsimile: (202) 672-5399